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U.S. House of Representatives/Committee on Agriculture

Testimony of: Lorinda Ratkowski

Organization: Great Lakes Glads

Chairman Goodlatte and members of the Agriculture Committee, thank you for the opportunity to testify today. My name is Lorinda Ratkowski; my family is a 4th generation seasonal cut flower grower in Michigan. We produce over 1,200 acres of cut flowers that are marketed throughout the United States to grocery stores and wholesale florist shops.

Our farming operation is located in a rural community of 1,200 residents. Seasonally we employ 225 workers for a 16-week period. In 1999, we reluctantly turned to the H-2A program. We were warned that the H-2A program was expensive, bureaucratically burdensome and participation in the program might result in litigation. We had no choice, either close our doors or try the H-2A program. We could no longer risk our entire family's livelihood on the HOPE that enough legal, reliable workers would show up at our farm to harvest our perishable crop.

I am here today to testify that we are still in business as a result of the H-2A program. But I am also here to testify that the current H-2A program needs reform. Today, we remain one of the few domestic producers of cut flowers in the United States. Only 40% of cut flowers sold in the U.S. are domestically grown. We have become uncompetitive and lack a reliable, legal workforce, resulting in the exportation of a high percentage of our agricultural jobs. This is not only true for flowers, but for fruits and vegetables as well. We as a nation have to decide if we want to export our production to countries where we have no control over pesticide usage and health standards or if we want to make the necessary changes to assure we have safe, competitive American grown products.

I would like to address a few items proposed in the Goodlatte Bill:

1) H.R. 3604, supports the Prevailing Wage compensation method for the H-2A program. Current H-2A law requires the Adverse Effect Wage Rate (AEWR). In 2004, under the AEWR, we will pay a minimum wage of \$9.11 per hour for H-2A workers. Nearly double the U.S. minimum wage. On top of \$9.11 per hour we are required to provide free government licensed housing and pay all incoming and outgoing transportation for each H-2A employee. Yet, we are expected to compete against imports from neighboring countries who pay wages totaling \$8.00 per day. The current program is too expensive and we can't compete.

2) The Goodlatte Bill addresses amnesty verses temporary visas. Although I am neither for nor against amnesty, I do not believe amnesty is the answer to preserving U.S. seasonal agriculture. We only need temporary seasonal employees for 16 weeks. Some farms only need workers for 4-6 weeks. This requires a workforce that is willing to be transient. Amnesty will encourage people to look for full time, year round jobs, where they can settle down in one location with their families. Amnesty will result in the filling of jobs, that the traditional U.S. worker is willing to occupy. It will not supply a needed workforce for the seasonal agricultural community.

3) National Security is at the forefront of every ones mind. An affordable temporary visa program would provide a legal means for workers to enter/depart the U.S. and to perform the millions of seasonal agricultural jobs, that most American workers are unwilling to occupy.

4) Finally, we need to create a program that eliminates unwarranted litigation against those who utilize the H-2A program.

We have 3 choices, continue to fill the millions of U.S. seasonal agricultural positions with illegal migrants, export all of our fruit, vegetable and floral production abroad, or develop a workable temporary visa program at competitive wages to keep our agricultural products grown domestically. The choice is ours.

Thank-you.

Additional Comment:

The Goodlatte Bill proposes penalties against employers for violation of the Bill. Violations include both financial penalties and disqualification from the program for periods of 1-3 years. While assuring compliance with the program is necessary, it must be understood that disqualification will result in the removal of an employers workforce, closing their doors, likely forever. It must be further understood that those who dislike the Goodlatte Bill, may use this venue as an avenue to litigate this legislation.